THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24641 OF 2005

DATED:21.11.2005

Between:

M. Bhaskar Reddy

…Petitioner

And

The Chief Commissioner of Land Administration

Govt. of Andhra Pradesh, Nampally Station Road,

Hyderabad and another

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24641 OF 2005

ORDER:

The petitioner claims that his family owned huge extent of land in S.Nos.220 and 221 admeasuring about Acs.20 in Kapra Village. The land was acquired for Nuclear Fuel Complex (NFC) about four decades ago and petitioner received compensation for the land as enhanced by the Civil Court in a reference under Section 18 of the Land Acquisition Act, 1894 (for short, the Act). It appears, one Smt. M.Shyamala and sons occupied a part of the land belonging to NFC, which was not utilized by them.

They also filed a suit for declaration of title. At that stage, according to the petitioner, the Government compromised the matter and withdrew the notification acquiring the land, which was in possession of M.Shyamala and others by issuing orders in G.O.Ms.No.375, dt.7.9.2002 and collected the market value from M.Shyamala and others. Seeking similar relief the petitioner made a representation in February 2003 and September 2003. These applications were rejected. Assailing the same, the petitioner filed the present Writ Petition, in effect, seeking an order directing the respondents to re-convey the land acquired in 1967.

It has been repeatedly held by this Court and the Supreme Court that un-utilized land acquired under the proceedings of the Act cannot be re-conveyed to the owners. It is also well-settled that un-utilized land can be used for public purpose and in case the Government does not want to keep the land, the same has to be disposed of by conducting public auction (See **Koppula Narasaiah v. Government of Andhra Pradesh**, **Northern Indian Glass Industries v. Jaswant Singh** and **Government of Andhra Pradesh v. Syed Akbar).**

Following the same, the Writ Petition is dismissed as the petitioner has no right to seek Writ of Mandamus.

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21.11.2005 (V.V.S.RAO, J)

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